SRS 99-302 **ENGROSSED**

Regular Session, 1999

SENATE BILL NO. 116

BY SENATORS CAIN, BARHAM, SMITH, DYESS, SCHEDLER AND **THOMAS**

PUBLIC PROPERTY. Constitutional amendment to allow the state to donate asphalt removed from state roads and highways to the parish and municipal governing authorities.

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Section 14(B) of the Constitution of
3	Louisiana; to allow the state to donate asphalt removed from state roads
4	and highways to certain governing authorities; and to specify an
5	election for submission of the proposition to electors and provide a
6	ballot proposition.
7	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of
8	the members elected to each house concurring, that there shall be submitted
9	to the electors of the state, for their approval or rejection in the manner
10	provided by law, a proposal to amend Article VII, Section 14(B) of the
11	Constitution of Louisiana, to read as follows:
12	§14. Donation, Loan, or Pledge of Public Credit
13	* * *
14	(B) Authorized Uses. Nothing in this Section shall prevent (1)
15	the use of public funds for programs of social welfare for the aid and
16	support of the needy; (2) contributions of public funds to pension and
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insurance programs for the benefit of public employees; (3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law; (4) the return of property, including mineral rights, to a former owner from whom the property had previously been expropriated, or purchased under threat of expropriation, when the legislature by law declares that the public and necessary purpose which originally supported the expropriation has ceased to exist and orders the return of the property to the former owner under such terms and conditions as specified by the legislature; (5) acquisition of stock by any institution of higher education in exchange for any intellectual property; or (6) the donation of abandoned or blighted housing property by the governing authority of a municipality or a parish to a nonprofit organization which is recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4) nonprofit organization and which agrees to renovate and maintain such property until conveyance of the property by such organization; (7) the deduction of any tax, interest, penalty, or other charges forming the basis of tax liens on blighted property so that they may be subordinated and waived in favor of any purchaser who is not a member of the immediate family of the blighted property owner or which is not any entity in which the owner has a substantial economic interest, but only in connection with a property renovation plan approved by an administrative hearing officer appointed by the parish or municipal government where the property is located; or (8) the deduction of past due taxes, interest and penalties in favor of an owner of a blighted property, but only when the owner sells the property at less than the

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appraised value to facilitate the blighted property renovation plan approved by the parish or municipal government and only after the renovation is completed such deduction being canceled, null and void, and to no effect in the event ownership of the property in the future reverts back to the owner or any member of his immediate family; or (9) the donation by the state of asphalt which has been removed from state roads and highways to the governing authority of the parish or municipality where the asphalt was removed, or if not needed by such governing authority, then to any other parish or municipal governing authority.

11 * * *

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state at the gubernatorial primary election to be held in 1999.

Section 3. Be it further resolved that on the official ballot to be used at the election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To provide for donation by the state of asphalt removed from state roads and highways to the parish governing authority of the parish where the asphalt was removed. (Amends Const. Art. VII, Sec. 14(B))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Bradford.

Cain (SB 116)

DIGEST

<u>Present constitution</u> provides that the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or

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donated to or for any person, association, or corporation, public or private.

<u>Proposed constitutional amendment</u> allows the state to donate asphalt removed from state roads and highways to the parish or municipal governing authority where the asphalt was removed or, if not needed, to any other parish or municipality.

(Amends Const. Art. VII, Sec. 14(B))